

Cheese—Pimento Flavor," and "Elkhorn Kraft Cheese," and in each case "J. L. Kraft & Bros. Co., Chicago-New York."

Misbranding of the article was alleged for the reason that the labels borne on the cans containing the article represented that each can contained $\frac{1}{4}$ pound of cheese, which was false and misleading, inasmuch as the contents of each can was less than that amount, averaging in percentage from 6 per cent to 11.5 per cent shortage in weight; and for the further reason that the statement, to wit, "Contents one-quarter pound," deceived and misled the purchaser. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages and upon each can in terms of weight, since the amount stated was not a correct statement of the quantity of food contained in each package or tin can.

On May 10, 1919, the said J. L. Kraft & Bros. Co., claimant, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be released to said claimant upon the payment of the costs of the proceedings and the execution of a bond in the sum of \$200, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

7177. Adulteration and misbranding of Balsam Copaiba, Salol Compound, and Methylene Blue Compound. U. S. * * * v. 69 Boxes of Balsam Copaiba, Salol Compound, and Methylene Blue Compound. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9942. I. S. Nos. 6192-r, 6195-r, 6196-r. S. No. C-1116.)

On March 27, 1919, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 69 boxes of capsules, 8 of which contained balsam copaiba, 5 of which contained methylene blue compound, and 56 of which contained salol compound, at Cleveland, O., alleging that the articles had been shipped on or about January 15, 1918, and February 13, 1918, by the Evans Drug Mfg. Co., Greensburg, Pa., and transported from the State of Pennsylvania into the State of Ohio, and charging adulteration and misbranding in violation of the Food and Drugs Act. The capsules of Balsam Copaiba were labeled in part, "Copaiba 10 min.," the capsules of Methylene Blue Compound were labeled in part, "Oil Santal $1\frac{1}{2}$ min., Copaiba Para $1\frac{1}{2}$ min., Oil Cinnamon $1\frac{1}{2}$ min., Methylene Blue 1 gr.," and the capsules of Salol Compound were labeled in part, "Balsam Copaiba 10 min., Oleoresin Cubebe 5 min., Salol $3\frac{1}{2}$ gr., Pepsin Aseptic (1:3000) 1 gr."

Analyses of samples of the three articles made by the Bureau of Chemistry of this department showed that the capsules marked "Copaiba 10 min." were deficient in quantity of contents an average of 13.2 per cent and 23.2 per cent in two representative series of capsules, and that the contents consisted of approximately 50 per cent cottonseed oil; that the capsules marked "Methylene Blue Compound" were deficient in quantity of contents an average of 25.3 per cent and 28.7 per cent in two representative series of capsules, and that the contents consisted of approximately 50 per cent cottonseed oil; and that the capsules labeled "Salol Compound" consisted of a mixture containing 50 per cent to 60 per cent cottonseed oil.

Adulteration of the 8 boxes of Balsam Copaiba was alleged in the libel for the reason that it was sold under and by a name recognized by the United States Pharmacopœia and differed from the standard of strength, quality, and

purity as determined by the test laid down in said Pharmacopœia, official at the time of investigation.

Adulteration of the 5 boxes of Methylene Blue Compound and 56 boxes of Salol Compound was alleged for the reason that their strength and purity fell below the professed standard and quality under which they were sold.

Misbranding of the articles was alleged for the reason that the statements, to wit, “* * * Capsules (Copaiba) 10 Min.,” “* * * Capsules Methylene Blue Compound * * * Oil Santal 1½ Min., Copaiba Para 1½ Min., Oil Cinnamon 1½ Min., Methylene Blue 1 Gr., and “* * * Capsules Salol Compound, Balsam Copaiba 10 min., Oleoresin Cubeb 5 min., Salol 3½ gr., Pepsin Aseptic (1:3000) 1 gr.,” were false and misleading in that they represented that a portion of the capsules consisted of copaiba, whereas examination of samples of the article showed that it consisted of copaiba and approximately 50 per cent cottonseed oil; and for the further reason that the statements represented that a portion of the capsules consisted of methylene blue compound, whereas examination of samples showed that the product consisted of small amounts of resins from copaiba and, other oils, of methylene blue and approximately 50 per cent of cottonseed oil; and for the further reason that the statement represented that the remaining portion of the capsules consisted of salol compound, whereas examination of samples showed that the product consisted of copaiba, cubebs, salol, and pepsin, and from 50 to 60 per cent cottonseed oil; and for the further reason that it was an imitation of, and was offered for sale under the name of, another article.

Misbranding of the capsules of Balsam Copaiba and Methylene Blue Compound was alleged for the reason that the statements regarding the contents were false and misleading in that there was a shortage in volume, ranging from 13.2 to 23.2 per cent and 25.3 to 28.7 per cent, respectively, in representative series of individual capsules.

On June 30, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the property should be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

7178. Adulteration of oranges. U. S. * * * v. 462 Boxes of Oranges. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 9943. I. S. Nos. 13423-r, 13424-r. S. No. E-1275.)

On March 22, 1919, the United States attorney for the Western District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 462 boxes of oranges, remaining unsold in the original unbroken packages at Pittsburgh, Pa., alleging that the article had been shipped on or about March 8, 1919, by the Sparr Fruit Co., La Manda Park, Cal., and transported from the State of California into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that it consisted in whole or in part of a filthy, decomposed vegetable substance.

On April 19, 1919, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*